

IN THE UNITED STATES DISTRICT COURT  
FOR SOUTHERN DISTRICT OF OHIO

IN THE MATTER OF THE ARREST OF  
ARNAUD TAIRET BETTON

Case No. \_\_\_\_\_

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Sara Sellers, being first duly sworn, hereby depose and state as follows:

**AFFIANT BACKGROUND**

1. I am employed as a Special Agent (“SA”) with the United States Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”), Homeland Security Investigations (“HSI”). I have been employed with DHS since July 2010 and specifically with HSI since December 2022. HSI is the principal investigative arm of DHS responsible for combatting transnational criminal activity and charged with protecting the global infrastructure through which international trade, travel, and finance move. HSI is also responsible for protecting national security and upholding public safety through investigating a wide range of domestic and international activities arising from the illegal movement of people and goods into, within, or out of the United States, including: child exploitation; commercial fraud and intellectual property theft; cultural property, arts and antiquities violations; cybercrimes; financial crimes, money laundering and bulk cash smuggling; human smuggling and trafficking; narcotics and weapons smuggling and trafficking; national security threats; technology proliferation and illegal exports; and transnational gang activity.

2. I successfully completed the Criminal Investigator Training Program and the Homeland Security Investigations Special Agent Training program at the Federal Law Enforcement Training Center in Glynco, Georgia. I am an “Investigative or Law Enforcement

Officer” of the United States within the meaning of Title 18, United States Code (“U.S.C.”), Section 2510(7). I am an “Immigration Officer” as defined by Title 8, U.S.C., Section 1101. I am empowered under Title 19, U.S.C., Section 1589a to serve any warrant under the authority of the United States and make warrantless felony arrests for any crime against the United States. I am a “Customs Officer” as defined by Title 19, U.S.C., and I am authorized to conduct warrantless searches at the United States border or at the functional equivalent of the United States border. I am cross-designated and have the authority to conduct Title 21 investigations and enforcement activities. I have been involved with investigations of Title 21 offenses and I am familiar with the Interagency Cooperation Agreement between the Drug Enforcement Administration (“DEA”) and ICE, dated June 18, 2009. I am empowered by law to conduct investigations of, and make arrests for, offenses enumerated in Title 18, U.S.C., Section 2516. Prior to becoming an HSI Special Agent, I was a member of the United States Army for nine years as military police personnel and a Submarine Supply Specialist with the Defense Logistics Agency. I have a bachelor’s degree in psychology from West Virginia University.

3. I have participated in the preparation of affidavits in support of search and arrest warrants and I have participated in and made seizures of contraband, to include controlled substances and related paraphernalia, conveyances, currency, documents and other evidence, including computers and electronic media, and firearms possessed, or used in relation to, violations of Title 8, Title 18, and Title 21 of the United States Code. At all times during this investigation described in the affidavit, I have acted in my official capacity involving crimes HSI is authorized to investigate.

### **INTRODUCTION and SOURCES OF INFORMATION**

4. This affidavit is submitted in support of an application for a criminal complaint and arrest warrant for **ARNAUD TAIRET BETTON**, a native of Thailand and citizen of France, who entered the United States on or about October 20, 2012, at or near Dulles, Virginia as a Visa Waiver Tourist.

5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

6. Based on the facts set forth in this affidavit, there is probable cause to believe that a violation of Title 21, § 922(g)(5) (Unlawful Possession or Receipt of a Firearm or Ammunition by a Prohibited Person) has been committed by **ARNAUD TAIRET BETTON**.

#### **PROBABLE CAUSE**

7. The United States, including Homeland Security Investigations, is conducting a criminal investigation of **ARNAUD TAIRET BETTON** ("**BETTON**") regarding violations of the United States Code listed in paragraph six (6).

8. On or about October 20, 2012, **ARNAUD TAIRET BETTON**, a native of Thailand and citizen of France, entered the United States via the Dulles International Airport in Dulles, Virginia as a Visa Waiver Tourist with permission to remain in the United States until January 17, 2013. Customs and Border Protection records indicate **BETTON** arrived at Dulles via Icelandair Flight #645 using French passport no. 05EK66499.

9. On or about January 24, 2013, **BETTON** was encountered at the Buffalo Peace Bridge by Customs and Border Protection personnel after having been refused entry into Canada by Canadian authorities. CBP's report stated **BETTON** was authorized to remain in the United






States until January 17, 2013. CBP, based on BETTON being a Visa Waiver overstay, processed him for removal and issued BETTON an Order of Removal. During that encounter, BETTON was issued alien registration number 205 703 552; FBI number 658499TD3, and after having his fingerprints and photograph submitted to DHS, BETTON was issued a unique Fingerprint Identification Number of 1145633673. BETTON was transferred to the custody of Immigration and Customs Enforcement, Enforcement and Removal Operations (“ERO”) in Batavia, New York to be detained in the custody of the United States Department of Homeland Security without bond.

10. On or about February 01, 2013, ERO Buffalo issued BETTON a Form I-220, Order of Supervision, to be released from detention under supervision and at large under certain conditions. BETTON’s booking photo, signature, and fingerprint are on the I-220.

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

ORDER OF SUPERVISION (Continuation Page)

Alien's Name BETTON, Arnaud Tairet	Picture 	Right Index Print 
File Number A 205 703 552		
Date February 01, 2013		
Alien's Signature 		
Alien's Telephone Number (if applicable) 304-237-6268 Wife Erika Betton		
Alien's Address 307 Beaver Ave. Beckley WV 25807		

11. On or about November 13, 2013, the ERO Charleston, West Virginia office listed BETTON as an “ICE Fugitive” since he did not surrender for removal.

12. On or about December 25, 2022, the Marietta, Ohio Police Department arrested BETTON and charged him with Domestic Violence.


13. On March 30, 2023, BETTON was convicted of the lesser offense of Disorderly Conduct.

14. On May 24, 2023, the Marietta, Ohio Police Department encountered BETTON during a vehicle stop where he was the passenger. Detective Derek Tewanger approached the passenger side of the vehicle where BETTON was seated. Detective Tewanger stated BETTON was looking over towards the driver side unaware of his presence and observed in plain view a firearm in a holster on BETTON's hip not concealed. Detective Tewanger removed the firearm from BETTON, handed it to another Marietta Police Department officer, who unloaded a full magazine from the firearm with a round in the chamber. Upon inspection, the firearm Marietta Police removed from BETTON was determined to be a Glock 10mm semi-automatic pistol as seen on the exterior bearing serial number BXAA700. BETTON was subsequently arrested and transported to the Marietta Police Department.

15. HSI Special Agent Wesley Clark responded to the Marietta Police Department and fingerprinted BETTON to see if he had been issued an FBI # for any prior arrests and/or been issued a Fingerprint Identification Number (FIN) by the Department of Homeland Security for any law enforcement encounters. The mobile fingerprint scanner showed BETTON was issued FIN 1145633673; FBI # 658499TD3; and Alien Registration No. 205 703 552. All of this information matches what was listed in paragraph #9 after BETTON was assigned those numbers by CBP after his arrest and order of removal in January 2013.

Department of Homeland Security (DHS)					
<div>Back</div> <div>Biometric</div>					
<b>Person Summary</b>					
<b>FIN:</b> 1145633673 <b>Status Code:</b> ALERT <b>Alert(s):</b> Other Agency Alert - Federal (Valid Until 01/24/14)		<b>Name(s):</b> BETTON, ARNAUD BETTON, ARNAUD TAIRET BETTON, TAIRET ARNAUD		<b>Alien Number(s):</b> 205703552 <b>FBI Number(s):</b> 658499TD3	
Encounter Date	Encounter ID	Organization	Activity Reason	Type	Status
05/24/23 20:21:04 EDT	8235755155	DHS - ICE - INV	ICE EAGLE transaction	Enforcement	Recidivist
12/26/22 15:57:34 EST	7928582530	DOJ - FBI - SLLEA	CJIS Search of OBIM	Enforcement	Recidivist
01/24/13 19:28:07 EST	2194172861	DHS - APPREHEND		Enforcement	Recidivist
01/24/13 19:28:07 EST	2194183829	DHS - APPREHEND		Enforcement	Recidivist
01/23/13 23:59:28 EST	95409976	DHS - APPREHEND		Enforcement	Alert

	<b>EID Subject ID:</b> 385268066	<b>Birth Country:</b> Thailand	<b>Arrest Date:</b>
	<b>Event Number:</b> XCU2305000002	<b>Gender:</b> M	<b>Arrest Location:</b>
	<b>Last Name:</b> BETTON	<b>Height:</b> 73 in	<b>Arresting Agent:</b>
	<b>First Name:</b> ARNAUD	<b>Weight:</b> 215 lbs	<b>Arrest Method:</b>


16. BETTON, according to United States Citizenship and Immigration Services (“USCIS”) records, never filed a USCIS Form I-485, Application to Register Permanent Residence or Adjust Status, and there is no record of BETTON being granted United States Citizenship via the naturalization process. ARNAUD TAIRET BETTON has no lawful immigration status in the United States and has been void of lawful status since on or about January 24, 2013.

### CONCLUSION


17. Based on the information summarized above, this Affiant believes probable cause has been established to show **ARNAUD TAIRET BETTON**, a native of Thailand and citizen of France, violated Title 18, § 922(g)(5) of the United States Code (Unlawful Possession or Receipt of a Firearm or Ammunition by a Prohibited Person) in the Southern District of Ohio. Accordingly, this Affiant respectfully requests this Court authorize this criminal complaint and issue an arrest warrant.

FURTHER AFFIANT SAYETH NOT



  
Sara Sellers  
Special Agent  
Homeland Security Investigations  
Columbus, Ohio

SUBSCRIBED AND SWORN TO ME ON THIS 26th DAY OF MAY 2023 VIA  
TELEPHONE AFTER SUBMISSION BY RELIABLE ELECTRONIC MEANS. FED. R.  
CRIM. P. 4.1 AND 41(d)(3).

  
Elizabeth A. Preston Deavers  
United States Magistrate Judge

